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OFFICE OF PETITIONS

In re Application of :
Ranjan :
Application No.10/050,807 :
Filed: October 25, 2001 :
Attorney Docket Number: 35014.039 :
Title of Invention: Method and System for :
Matching an Incident to a Route :
: ON PETITION

This is a decision on the petition filed April 20, 2006, under 37 CFR 1.137(b) to revive the above-identified application.

This petition is hereby **Dismissed**.

Any request for reconsideration must be submitted within TWO (2) Months from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)". This is **not** a final agency action within the meaning of 5 U.S.C. §704.

This application became abandoned for failure to timely submit the issue fee, as required by the Notice of Allowance and Fee (s) Due which was mailed November 27, 2002. The Notice of Allowance and Fee (s) Due set a three (3) month statutory period for reply. Extensions of time were not available under the provisions of 37 CFR 1.136(a). Accordingly, this application became abandoned on February 27, 2003. A Notice of Abandonment was mailed on April 14, 2003.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require

additional information. See MPEP 711.03 (c)(III)(C) and (D).

The instant petition lacks item (3). The statement of unintentional delay presented in the petition does not comply with the current rule. Pursuant to 37 CFR 1.137(b)(3) a statement that "*the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional*" is required. The filing of a petition under 37 CFR §1.137(b) cannot be intentionally delayed and therefore must be filed promptly. A person seeking revival due to unintentional delay cannot make a statement that the delay was unintentional unless the entire delay, including the delay from the date it was discovered that the application was abandoned until the filing of the petition to revive under 37 CFR 1.137(b), was unintentional. A statement that the delay was unintentional is not appropriate if petitioner intentionally delayed the filing of a petition for revival under 37 CFR 1.137(b). The application has been abandoned for over three years from the mailing date of the Notice of Abandonment as such petitioner must submit additional information regarding the delay.

Further correspondence with respect to this matter should be addressed as follows:

By mail:

Mail Stop Petition
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By facsimile:

(571) 273-8300

By delivery service:
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Telephone inquiries should be directed to the undersigned at (571) 272-3215.



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